IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 9466 of 2004

Between:

1 Mohd. Ibrahim S/o Sk. Mahaboob
kollampalli village, Narayanapet Mandal, Mahabobnagar Dist
2 Abdu Kareem S/o Farid Saheb
kollampalli village, Narayanapet Mandal, Mahabobnagar Dist

..... PETITIONERS

AND

1 The Chief Executive Officer AP.State Wakf Board, Haj House Building
Opp. Public Gardens, Nampally, Hyderabad
2 Inspector Authority , Wakf, Mahaboobnagar District Mahaboobnagar
3 Jalal Hussaini S/o Ahmed Hussaini
Kollampally Post, Narayanpet Mandal
Mahaboobnagar District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction , preferably one in the nature of Writ of Mandamus, declaring the impugned Proceedings of the 1st respondent dt. 20/05/2004 in Memo.No.11/B2/M/MBNR/2004, Allowing the 3rd respondent alone to manage the affairs of Darga Hazrat. S. Shah Ahmed Quattal Hussaini Rahamathulla Alahi and its offerings as arbitrary, illegal, violative of Scheme framed by the 1st respondent dt. 19/06/2003 and consequently set aside the same.

Counsel for the Petitioner:MR.J.KANAKAIAH

Counsel for the Respondent No.3: MR.A.NARASIMHA RAO

Counsel for respondents 1 and 2: A.M.Qureshi

The Court made the following :

O R D E R:

The writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the impugned proceedings in Memo No.11/B2/M/MBNR/2004 dated

20-05-2004 passed by the 1st respondent in allowing the 3rd respondent alone to manage the affairs of Darga Hazrat S.Shah Ahmed Qattal Hussaini Rahamathulla Alahi and its offerings as arbitrary, illegal.

It is stated that as against the impugned proceedings, the petitioners made several representations before the 1st respondent- Chief Executive Officer, A.P.State Wakf Board, Hyderabad seeking to hand over the above said Dargah.

The learned counsel appearing for the petitioners submits that without considering the above said representations made by the petitioners, the 1st respondent passed the impugned order.

Having regard to the submission made by the learned counsel for the petitioners, without going into the merits of the case, it would be appropriate to dispose of the writ petition directing the

1st respondent-Chief Executive Officer, A.P.State Wakf Board, Hyderabad to consider and dispose of the representation

dated 13-05-2004 made by the petitioners in accordance with law after giving reasonable opportunity to both the parties.

Accordingly, the writ petition is disposed of as indicated above. No costs.

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01-03-2005

Mjl/*

To,

1 The Chief Executive Officer AP.State Wakf Board, Haj House Building
Opp. Public Gardens, Nampally, Hyderabad
2 The Inspector Authority , Wakf, Mahaboobnagar District Mahaboobnagar
3. 2 CD copies.